

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

April 3, 2009

The Honorable Peter Orzag  
Director  
Office of Management and Budget  
1650 Pennsylvania Avenue  
Washington, D.C. 20503

Dear Director Orzag:

As members of the Executive Committee of the Congressional Steel Caucus and strong supporters of the "Buy America" amendment to P.L. 111-5, the American Recovery and Reinvestment Act of 2009, we write to request that your implementation regulations adhere to the full intent of the "Buy America" amendment.

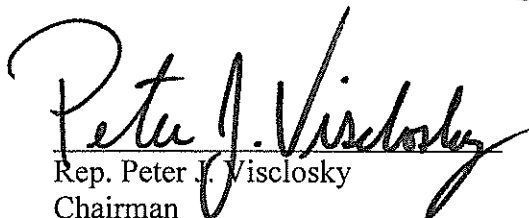
Specifically, we call your attention to the Congressional intent of this legislation that this would apply to all federal, state, or local public buildings or public works projects which may be constructed, altered, maintained, or repaired with funding provided under the law. This application should apply to all contracts and grants.

Additionally, we would suggest a strict application of the two-part test developed under the Buy American Act of 1933 for determining whether a "manufactured good" is made in the United States. Further, we would encourage the use of the long-standing definition of "iron and steel" developed by the Department of Transportation to determine if iron and steel are produced in the United States. Adherence to these well-developed precedents will ensure predictability and prevent unnecessary confusion or undue burden or delay in the implementation of this much needed funding.

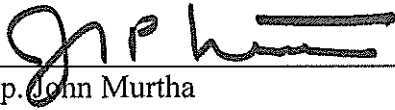
We also believe that this is an opportune moment for greater transparency of the waiver process, which has often been shrouded in secrecy or deliberately misused. Specifically, we would recommend that all exemption requests from federal agencies and state and local governments be posted on the implementation website, [www.recovery.gov](http://www.recovery.gov).

We thank you for your work on the implementation of the "Buy America" amendment and in preparing regulations on this critically important provision. We trust that you will accurately represent Congress's intent, and we stand ready to assist you in any way should you have any questions or need any additional material.

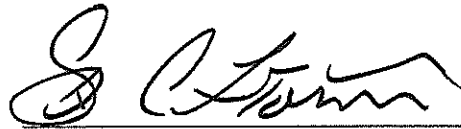
Sincerely,

  
Rep. Peter J. Visclosky  
Chairman

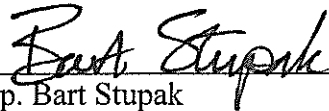
  
Rep. Tim Murphy  
Vice Chairman



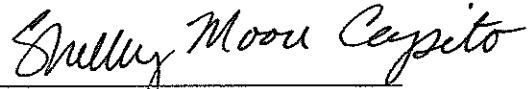
Rep. John Murtha  
Executive Committee Member



Rep. Steven LaTourette  
Executive Committee Member



Rep. Bart Stupak  
Executive Committee Member



Rep. Shelley Moore Capito  
Executive Committee Member



Rep. Dennis Kucinich  
Executive Committee Member



Rep. Mark Souder  
Executive Committee Member



Rep. Charles Wilson  
Executive Committee Member



Rep. John Shimkus  
Executive Committee Member



Rep. Alan Mollohan  
Executive Committee Member